

REGULAR MEETING of the Burrillville Town Council held Wednesday, August 13, 2014 at 7:00 P.M. in Council Chambers, Town Building, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson

MEMBERS ABSENT: Councilors Wallace F. Lees and Edward J. Blanchard were excused

1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held July 9, 2014 and dispense with the reading of said minutes.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Councilor Kimberly Brissette Brown announced several events, including the Jesse M. Smith Library "Friends of the Library" Riverwalk concert on August 16, 2014, a Voter ID event sponsored by the Secretary of State's office on August 23, 2014 and the Green Festival scheduled for September 6, 2014 at the Stillwater Mill Complex.

5. Special Business:

14-180 Application from Veronica Huguenin d/b/a Burrillville Arts & Crafts Festival for a Special Event Entertainment License to apply at the Burrillville Arts & Crafts Festival on September 13 and 14, 2014 on property owned by the Burrillville Board of Administration (A.P. 160/183, 143/30, 160/9).

VOTED to grant the license so long as all stipulations are met.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-181 Application from David Souza d/b/a Kona Ice Cumberland RI, Inc. for an annual Hawkers & Peddlers License to apply throughout the Town of Burrillville.

VOTED to grant the license so long as all stipulations are met.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-182 Application from Gerald LaPierre for renewal of Private Detective License 4.

VOTED to grant the license so long as all stipulations are met.

Motion by Councilor David J. Place. Seconded by Councilor John F. Pacheco III. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-183 Application from Alejandro Arteaga d/b/a Palagis Ice Cream

Co. for an annual Hawkers & Peddlers License to apply throughout the Town of Burrillville.

VOTED to grant the license so long as all stipulations are met.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

6. Petitions: None

7. Public Hearing: None

8. Unfinished Business: None

9. New Business:

14-184 VOTED to open consideration and action on correspondence from Jeffrey M. McCormick, P.E., Director of Public Works & Engineering Services, regarding bid results and award recommendation for bid 14-014.

Motion by Councilor David J. Place. Seconded by Councilor Stephen

N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

Discussion: The recommendation, as follows, was reviewed and discussed.

T. Miozzi, Inc. has agreed to the phasing, as follows

Phase I Phase II

\$560,000 to be appropriated from the major capital to CIP fund to complete Hill Road this season Approve appropriating \$714,420 from the major capital fund to CIP Approve an additional \$25,000 from major capital for use for extras, unforeseen conditions or added scope

Approve Ledgewood Lane work and use of \$26,269.64 to be paid from previous contractor's bond to fund paving \$188,605.07 will be used from the non-restricted FY2015 CIP fund for a section of Union Ave.

„X Phase I to be completed during the current construction season

„X Phase I to include Hill Road (Whipple Road to Centennial Street)

„X Phase I completes Hill Road work

„X Completes Ledgewood Lane (intersects Hill Road work area and is completion of a road in which a contractor's bond had to be acquired) „X Phase II projects may be delayed or suspended by the Town Manager after the FY2014 audit is completed and upon further

review of the pending litigation with TransCanada

„X Phase II to be done in next season beginning early spring 2015 if funding is available

„X Phase II to be prioritized as Snake Hill, Smith Hill and a section of Union Avenue

VOTED to grant the bids as presented; and that would be \$560,000 to be appropriated to complete Hill Road; use of bond funds of \$26,269.64 to complete Ledgewood Lane work; appropriating from the major capital to CIP \$714,420 for phase II spring roadwork for Snake Hill Road followed by Smith Hill Road; and also appropriating an additional \$25,000 for use for extras, unforeseen conditions or added scope from major capital.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-185 VOTED to open consideration and action on correspondence from Jeffrey M. McCormick, P.E., Director of Public Works & Engineering Services, regarding his recommendation related to the RFP for professional on-call services.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

VOTED to approve the list, presented by the DPW Director.

Company Name Address Disciplines

Beta Group 6 Blackstone Valley Place, Suite 101 Lincoln, RI 02865 Civil, Environmental & Landscape

**Bradford Associates 25 Creighton Street
Providence, RI 02906 Landscape Architect**

**Cardino ATC 333 Washington Highway
Smithfield, RI 02917 Environmental**

CDR Maguire 225 Chapman Street, 4th Floor Providence, RI 02905 Civil, Structural, Environmental, Architectural

**CME Associates 32 Crabtree Lane
PO Box 849**

**Woodstock, CT 06281 Civil, Structural, Survey, Environmental
Commonwealth Engineers 400 Smith Street**

**Providence, RI 02809 Civil, Structural, Landscape, Environmental
Crossman Engineering 151 Centerville Road**

**Warwick, RI 02886 Civil, Landscape, Environmental
Environmental Resource Assoc. 29 Smith Avenue**

Greenville, RI 02828 Environmental Engineering

**Fuss & O'Neill 317 Iron Horse Way, Suite 204 Providence, RI
02908 Civil, Structural, Environmental, Architectural, Landscape**

Gardner & Gerrish 192 Wentworth Avenue

Cranston, RI 02905 Landscape Architect

Garofalo & Associates 85 Corliss Street

PO Box 6145

Providence, RI 02940 Civil, Structural, Landscape, Survey

Gordon R Archibald Inc. 200 Main Street

Pawtucket, RI 02860 Civil, Structural

Guerrier & Halnon, Inc. 1029 Providence Road

Whitinsville, MA 01588 Civil, Survey

Jacobs Assoc. 166 Valley Street

Bldg 6M, Suite 101

Providence, RI 02909 Civil, Structural, Environmental

Joe Casali Engineering 300 Post Road

Warwick, RI 02888 Civil, Environmental, Landscape

**McMahon Transportation Engineers & Planners 55 Dorrance Street,
Suite 403 Providence, RI 02903 Environmental, Transportation,**

National Land Surveyors 42 Hamlet Avenue

Woonsocket, RI 02895 Survey

Pare Corporation 8 Blackstone Valley Place

Lincoln, RI 02865 Civil, Environmental, Structural

Robinson Green Beretta Corp 50 Holden Street

Providence, RI Architectural, Landscape

RT Group, Inc 70 Romano Vineyard Way, Suite 134 N. Kingstown, RI

02852 Civil, Structural, Environmental

Saccoccio & Associates 1085 Park Avenue

Cranston, RI 02910 Architectural

Suiteere Engineering 2374 Post Road, Suite 201

Warwick, RI 02886 Civil, Structural

**VHB 10 Dorrance Street, Suite 400 Providence, RI 02903 Civil,
Structural, Environmental**

Woodard & Curran 95 Cedar Street, Suite 100

Providence, RI 02903 Civil, Environmental

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-186 VOTED to open consideration and action on correspondence from Jeffrey M. McCormick, P.E., Director of Public Works & Engineering Services, regarding his recommendation related to updating the playground equipment and renovating other features at White Mill Park, Pascoag.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns

and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

Discussion: The project was discussed. Cost and funding as follows, was reviewed.

Playground Rehab Costs

Work by DPW

R & D playground equipment & site prep \$0

Two handicap parking spaces 2, materials only 1,500

Gazebo column repairs and underside of roof staining 500

Work by Others

Gazebo repairs (new cedar roof shingles) \$4000

Refinish pedestrian bridge 7,000

Landscaping sod/bushes/trees 2,000

New playground surfacing (rubber mesh poured in place) 15,000

\$72,000 Cost Est

Funding -

\$28,425 from RIDEM Grant

\$28,425 already approved by council as match

\$15,150 needs approval to complete scope

\$10,000 needs approval for construction contingencies

\$82,000

VOTED to approve all the playground rehab costs as noted with the

exception of the repairs of the gazebo roof.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-187 Correspondence from Rose Doughty, Treasurer, Burrillville Farmer's Market Association, Inc., regarding "Celebrate Burrillville Day".

Discussion: Celebrate Burrillville Day was discussed.

VOTED to receive and file.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-188 Correspondence from Councilor Wallace F. Lees, Chairman, Screening Subcommittee, regarding the Subcommittee's recommendations.

VOTED to reappoint Linda Henderson as a member of the Jesse M. Smith Memorial Library Board of Trustees to serve a five-year term to expire June 30, 2019.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

VOTED to reappoint Judy Aubin as a member of the Budget Board to serve a three-year term to expire June 30, 2019.

Motion by Councilor David J. Place. Seconded by Councilor John F. Pacheco III. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

VOTED to reappoint Robert Tetreault as an alternate member of the Budget Board to serve a one-year term to expire June 30, 2015.

Motion by Councilor David J. Place. Seconded by Councilor John F.

Pacheco III. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-189 VOTED to refer to the Screening Subcommittee the application of Matthew J. Misiaszek for reappointment to the Housing Authority.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-190 VOTED to declare surplus certain computer and office equipment, as listed:

Monitors: MaxTech XT 4800, asset tag 000967

Personal Computers:

Custom built PC, asset tag 5257

Custom built PC, asset tag 4048

Custom built PC, asset tag 001450

HP model 7700 desktop PC, asset tag 005030

HP model DC5700 PC, asset tag 001875

Gateway model GP7-450 PC, asset tag 001229

Copiers: Canon model C130F copier, asset tag 001146

Printers: HP color Laserjet model 3600dn, asset tag 4109

Lexmark x4550, asset tag 001927

Battery Backups:

APC Smart UPS 700, asset tag 4057

APC Back-ups EX 500, asset tag 001457

APC Back-ups ES 350, asset tag 001839

APC Back-ups 650, no asset tag. Serial PB0035223103

Three office chairs, asset tags 965, 4002 (one had no asset tag)

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-191 VOTED to receive and file the correspondence from Council President Nancy F. Binns, Chair, Ordinance Subcommittee, regarding the outcome of the business referred to the Subcommittee.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco

III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

10. Town Clerk/Communication:

14-192 VOTED to open the notification that the Burrillville Finance Department comprehensive annual financial report (CAFR) for the fiscal year ended June 30, 2013, has qualified for a Certificate of Achievement for Excellence in Financial Reporting.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

Discussion: The finance department was commended for a job well done.

VOTED to receive and file.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David

J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11. VOTED to receive reports 1 through 26:

- 1. Town Treasurer: Report of June 2014**
- 2. Burrillville Sewer Commission: No report**
- 3. Tax Collector: Reports of June and July 2014**
- 4. Department of Public Works: No report**
- 5. Chief of Police: Report of June 2014**
- 6. Office of Building Official: Reports of June and July 2014**
- 7. Animal Control Officer: Reports of June 2014**
- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: No report**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: Report of July 2014**
- 12. Burrillville Housing Authority: Meeting of June 11, 2014**
- 13. Planning Board/Town Planner: Meeting of May 5, 2014**
- 14. Burrillville Conservation Commission: No report**
- 15. Recreation Commission: Meetings of May 12 and June 9, 2014**
- 16. Ordinance Subcommittee: Meeting of December 12, 2013**
- 17. Redevelopment Agency: Meetings of April 22 and May 27, 2014**
- 18. B-PAC: No report**
- 19. Personnel Board: Meeting of June 4, 2014**
- 20. Screening Subcommittee: Meeting of May 14, 2014**
- 21. Budget Board: No report**

- 22. Burrillville School Committee: Meeting of June 5 & 12, 2014**
- 23. Rubbish & Recycling Committee: No report**
- 24. Board of Canvassers: Meetings of March 11, April 3 and July 17, 2014**
- 25. Juvenile Hearing Board: No report**
- 26. Burrillville Extended Care Board of Directors: Meeting of March 4, 2014**

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

12. Additional New Business:

14-193 VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law:

- A. [i±42-46-5 (a)(5)] for review, discussion and considerations related to the acquisition, sale and exchange of real property (Assessors Map 230, Lot 002 and Assessors Map 247, Lot 11)**
- B. [i±42-46-5(a)(2)] for discussion and action relative to employee pension litigation**
- C. [i±42-46-5(a)(2)] for discussion and action pertaining to collective**

bargaining: Council 94, Local 186

and from Council President Nancy F. Binns, pursuant to Rhode Island Open Meeting Law [§42-46-5 (a)(1)] relative to discussion of the job performance of Michael C. Wood, Town Manager.

Note: Michael C. Wood was duly notified in advance in writing of this request for Executive Session; he was notified and advised that he could require that the discussion be held at an open meeting.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

There was a recess before executive session.

The Town Council returned to open session at 8:14 P.M.

VOTED to seal the minutes of executive session noting that two votes were taken; one vote concerned the authorization of a property swap and also an amendment to the Manager's contract.

Motion by Councilor David J. Place. Seconded by Councilor John F. Pacheco III. The vote was unanimous by the five members present.

Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

14-194 Correspondence from Council President Nancy F. Binns regarding her request that the Town Council:

A. Consider and act on adoption of an agreement between RI Council 94, Local 186 and the Town of Burrillville.

VOTED to approve agreement between RI Council 94, Local 186 and the Town of Burrillville.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

B. Consider and act on adoption of an extension of the employment agreement between Michael C. Wood, Town Manager, and the Town of Burrillville.

VOTED to adopt an extension of the employment agreement between

Michael C. Wood, Town Manager, and the Town of Burrillville, as amended.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor David J. Place. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

VOTED to notify the planner and the finance director of the land swap.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

13. VOTED to adjourn at 8:16 P.M.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kimberly Brissette Brown, John F. Pacheco

III, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk